

REMARKS

Request for Reconsideration

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the attached replacement sheets, the amendments to the specification, the amendments to the claims and the following remarks.

Status of Claims

Claims 1 and 4 – 9 are pending, claims 2 and 3 having previously been cancelled.

Present Invention

One of the unique aspects of the present invention lies in its capacity to provide a degree of mechanical play. One aspect of this is in the placement of a bearing seat in only one of its two housing parts, which lessens the problem of alignment such as would present itself were there bearing seats in each of its housing parts. Another aspect is that the invention helps ensure a mounting that is flexible (a quality noted on page 2, line 6 of the specification).

One of the structural features that helps accomplish this is the arrangement of the bearing with respect to the load bearing spindle nut. It is noted that in all three figures, the bearing does not take the loads generated at the threaded portion of the spindle nut through a direct radial transfer, but instead receives the load in a cantilevered fashion, which permits a degree of "bend" or play in the mechanism – again accommodating fits that might otherwise be difficult or impossible. In the embodiment shown in Figure 1, this is provided by having the bearing axially displaced from the threaded portion of the spindle nut. The embodiment depicted in Figure 3 also shows this, but with the position of the bearing shifted in the other direction (but again away from the area where loads are transferred). In the embodiment of Figure 2, the bearing overlies the region where the loads are generated, but these are transmitted to the bearing in a somewhat roundabout way via the outer deflection 23 to again provide a cantilevered arrangement.

Claim 1 has been amended herein to provide generic coverage of these three approaches to the cantilever by reciting that the structure is such that that the load generated along the spindle is transferred to the bearing in a cantilevered arrangement. Newly added claim 10 recites that the bearing be axially displaced from this load, which is another way of reciting the cantilevered arrangement of the invention.

Prior Art Rejection

Claims 1, 4 and 5 stand rejected under 35 USC 103(a) as being unpatentable over Tatewaki et al US 2002/0148672 in view of Saruwatari et al US 2002/0096389. Claims 6 and 7 stand rejected under 35 USC 103(a) as being unpatentable over these references as applied to claims 1 and 4, and further in view of Osbourne USP 2,964,967. Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Tatewaki in view of Saruwatari as applied to claim 1, and further in view of Bugosh US 2003/0192734. These rejections, to the extent that they may be viewed as pertinent to the amended claims now before the Examiner are respectfully traversed for the following reasons.

In Tatewaki et al., with reference to Figures 2 and 5 (as well as the others), the bearing is taught to be situated directly above the load generating area of the spindle, and these loads are transmitted directly radially to the bearing instead of via a cantilevered arrangement such as is presented in this invention and which is set forth in the claims. Also, the secondary references cited by the examiner favor the same general approach of Tatewaki et al. (to the extent that they can be analogized for this feature), teaching not a cantilever, but rather, the direct application of loads to a bearing. Since the prior art does not teach the invention as claimed, the rejections are improper and should not be maintained.

112 Rejection

Claim 7 was objected to for an informality which has been corrected via this amendment. Claims 1 and 8 were rejected under 35 USC 112, Second Paragraph as being indefinite. These claims have been amended to obviate these rejections. Respectfully, these claims are now definite.


Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account # 02-2275.

Respectfully submitted,

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